

### REMARKS / DISCUSSION OF ISSUES

Claims 1-3, 5, 9-10, 12-14, and 17-28 are pending in the application. Claims 25-35 are newly added and claims 4, 11, 16, and 24 are canceled herein.

The applicants thank the Examiner for acknowledging that claims 4, 17, and 18 would be allowable if rewritten in independent form, including all of the limitations of the parent claims. Claim 17 is correspondingly rewritten, and the elements of claim 4 have been incorporated into independent claims 1, 9, and 20. Claim 4 has been canceled, and claims 5, 10, and 12-14 have been amended to conform to the changes to claim 1, and to correct minor informalities.

Newly added claim 25, upon which claims 26-35 depend, also includes the limitation of prior claim 17 that the control signal is sent in response to the detection of the ear bud being placed in the ear.

#### **Allowance of Dependent Claims**

Claim 1 is amended to include all of the limitations of the prior claim 4, which the Examiner had indicated would be allowable. Claims 2-3, 5, 10, and 12-14 depend from claim 1 and inherit all of the respective features of claims 1. In like manner, claim 9, claim 20, upon which claims 21-23 depend, also include the limitations of prior claim 4. Claim 17, which the Examiner has indicated would be allowable, and upon which claims 18-19 depend, is rewritten in independent form, and claim 25, upon which claims 26-35 depend, also include the limitation of prior claim 17. Thus, claims 2-3, 5, 10, 12-14, 18-19, 21-23, and 26-35 are patentable with respect to each independent claim from which they depend, with each dependent claim containing further distinguishing patentable features.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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